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500.43372X00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: I. KOBAYASHI et al.

Serial No.: 10/743,729

Filed: December 24, 2003

For: STREAM SERVER APPARATUS, PROGRAM AND NAS DEVICE

**PETITION TO MAKE SPECIAL
UNDER 37 CFR 1.102(d) and MPEP. §708.02, VIII**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

November 10, 2004

Sir:

1. Petition

Applicants hereby petition to make this application **Special**, in accordance with 37 CFR §1.102(d) and MPEP 708.02, VIII. The present invention is a new application filed in the United States Patent and Trademark Office on December 24, 2003 and as such has not received any examination by the Examiner.

2. Claims

Applicants hereby represent that all the claims in the present application are directed to a single invention. If upon examination it is determined that all the claims presented are not directed to a single invention, Applicants will make an election without traverse as a prerequisite to the granting of special status.

3. Search

Applicants hereby submit that a pre-examination search has been made by a professional searcher, (a copy of which is attached), in the following classes and subclasses:

<u>Class</u>	<u>Subclass</u>
709	218, 227, 231, 232, 233, 238, 250
713	162, 200, 201

4. Copy of References

A listing of all references found by the professional searcher is provided on a Form PTO-1449 and copies of the references and the Form PTO-1449 are submitted as part of an Information Disclosure Statement (IDS) filed on even date.

5. Detailed Discussion of the References and Distinctions Between the References and the Claims

Below is a discussion of the references uncovered by the search and cited in the IDS filed on even date that appear to be most closely related to the subject matter encompassed by the claims of the present application, and which discussion particularly points out how Applicants' claimed subject matter is distinguishable over those references. All other references uncovered by the search and cited in the IDS filed on even date are **not** treated in detail herein.

a. Detailed Discussion of the References

U.S. Patent No. 6,738,822 (Fukasawa et al.), assigned to Canon Kabushiki Kaisha, discloses a relay apparatus, system and method, and storage medium that

includes a relay apparatus for transferring information from at least one server to at least one client via a network. Apparatus may comprise of a first communication means for performing communication with the client, and a second communication means for performing communication with the server in a communication method in correspondence with the server. A message transceiver may be realized by utilizing a general inter-process communication protocol TCP or UDP (see figure 2, column 3 lines 4-14 and column 6 lines 15-17).

U.S. Patent Application Publication No. 2002/0087887 A1 (Busam et al.)

discloses a device-to-device network that includes a server 2 in communication with various other devices via network 4. The devices depicted in Fig 1 include multiple devices connected via a LAN for communicating on network 4 via firewall 16. Commercial service 18 is also depicted as being in communication with server 2 via network 4. Commercial service 18 is a service that is publicly available to a network (see paragraphs 25 and 26).

U.S. Patent Application Publication No. 2002/0122416 A1 (Xu et al.),

assigned to Innomedia Pte Ltd., discloses a system and method for establishing channels for a real time streaming media communication system that includes a directory server, which may provide a media session channel for communication of real time stream media data from a remote client to a client, served by an address translation firewall. The telephone service provider 34, or more specifically the directory server 38 and call control manager 36, may enable the signaling and maintenance of real time streaming media sessions between a caller and callee,

independent of whether the caller client and/or callee client is operating on a private network. Directory server 38 and call control manager 36 may enable a caller client to signal a real time streaming media session to either of client 15 or 18 operating on private networks 24 and 26, and enable either of clients operating as a caller client to signal and maintain a real time streaming media session with another of clients 14, 16, or 18. Each network device operates a suite of IP protocols that may enable the device to setup TCP/IP logical connections and/or UDP/IP channels with other network devices (see figure 1, paragraphs 14, 36, 37).

U.S. Patent Application Publication No. 2004/0095937 A1 (Piche et al) discloses a method and apparatus to permit data transmission to traverse firewalls that includes a server S1, which may be used as an intermediary to receive UDP packets originating from C1 and C2, and to use information contained in those packets to identify the external ports used by FW1 and FW2. C1 and C2 can also use other means, such as off-line exchange of information by the users, or TCP transmissions either directing the other or through a common server, to inform each other about the port information. (see paragraph 33 and figure 1).

U.S. Patent Application Publication No. 2004/0158606 A1 (Tsai) discloses a transmission method of multimedia data over a network that includes a method and system, which may enable the transmission of multimedia data via redirect servers. Servers may communicate with endpoints in a network through a regular network filter such as an enterprise firewall. Both endpoints may have private Internet protocol addresses and/or endpoints located inside networks, or may

support communication between an endpoint with private IP address and the other endpoint with a public IP address. Endpoints may either use TCP or UDP for transmitting command and voice/video data. In one embodiment, redirect signal server 25 can send commands using UDP or TCP to SIP proxy server acting as signal server 70 without modifying the private IP address and port number of endpoints 30 and 40. Endpoints 30 and 40 may be an enterprise firewall and a NAT, respectively (see figure 2, paragraphs 6, 7, 8, 9, and 25).

b. Distinctions Between the References and the Claims

The present invention as recited in the claims filed are not taught or suggested by any of the above noted references whether taken individually or in combination with each other or in combination with any of the other references now of record.

The present invention as recited in the claims is directed to a stream server apparatus connected to client apparatuses and a firewall apparatus for inhibiting a packet from illegally accessing a particular network, the stream server apparatus distributing stream data to the client apparatuses and includes: a first interface which transmits and receives a packet to and from the client apparatus belonging to the particular network without the firewall apparatus, and transmits and receives a packet to and from the client apparatus belonging to a network different from the particular network via the firewall apparatus; a second interface which transmits and receives a packet to and from the client apparatus belonging to the network different from the particular network without the firewall apparatus, said second interface being connected to a second network; a stream transport management module which specifies said first interface or said second interface in accordance with a network attribute and a type of a

communication protocol of the client apparatus; and a process module which executes a communication process based on the communication protocol relative to the client apparatus via the specified interface.

The above described features of the present invention, particularly a stream server apparatus that includes a first interface that transfers packets between a client apparatus belonging to the particular network without the firewall apparatus, and transfers packets between the client apparatus belonging to a network different from the particular network via the firewall apparatus, and a second interface which transfers packets between the client apparatus belonging to the network different from the particular network without the firewall apparatus, or specifying the first interface or the second interface in accordance with a network attribute and a type of a communication protocol of the client apparatus, are not taught or suggested by any of the references of record whether taken individually or in combination with each other.

6. Fee (37 C.F.R. 1.17(i))

The fee required by 37 C.F.R. § 1.17(i) is to be paid by:

☒ the Credit Card Payment Form (attached) for \$130.00.

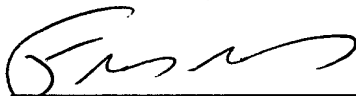
☐ charging Account _____ the sum of \$130.00.

A duplicate of this petition is attached.

Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, or credit any overpayment of fees, to the deposit account of Antonelli, Terry, Stout & Kraus, LLP, Deposit Account No. 01-2135 (500.43372x00).

Respectfully submitted,

Antonelli, Terry, Stout & Kraus, LLP



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FDB/sdb
Enclosures